IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2550 of 2004

BUDHPAL SINGH
V/S
STATE & ANR.

Mr. MAHAVEER BISHNOI, for the appellant / petitioner

Mr. BL BHATI, AGA, for the respondent

Date of Order : 15.5.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The petitioner has assailed the impugned orders, Anex.1 and 2, whereby he had been sent on deputation from Gram Panchayat Gulabganj to Panchayat Samiti Revdar by the Vikas Adhikari, and vide Annex.2, the petitioner has been assigned the duty.

It is contended in the reply, that the petitioner has not come with clean hands, and has made suppression of material facts, inasmuch as, notices had been issued to the petitioner in regard to the financial irregularities committed by him, and that he had also been served with charge-sheet, being Annex.R/3 way-back on 19.8.2003.

The present writ petition has been filed on 16.6.2004, and from the reply, it is clear, that the inspection was undertaken, and material irregularities had been found in February 2004, as is clear from Annex.R/2.

Likewise, for other misconduct, he had been served with a charge-sheet in August 2003.

A look at the charge-sheet, Annex.R/3 shows that he had been served with three charges, relating to discharge of his duties, while a look at Annex.R/2 shows that it clearly shows even financial irregularities. Rather in Annex.R/2, it is mentioned that he has entered some payments to have been made in the cash-book even without any vouchers, which shows the case of embezzlement of money. On the other hand, the petitioner in the writ petition, in para-2 has alleged "There has never been any complaint against the petitioner whatsoever from any corner". The averments made in the reply, and the documents annexed with the reply have not been controverted by the petitioner in any manner whatsoever.

Thus, the petitioner being guilty of suppression of material facts, and misstatement of facts, I am not inclined to entertain the writ petition. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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